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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Amendment of Section 73.622(b),) MM Docket No. 99-268
Table of Allotments,) RM-9691
Digital Television Broadcast Stations.)
(Chattanooga, Tennessee))

To: Chief, Video Services Division

MOTION FOR LEAVE TO SUBMIT OPPOSITION

Media General Broadcasting, Inc. ("Media General"), licensee of television station WDEF(TV), NTSC Channel 12, Chattanooga, Tennessee, by its attorneys and pursuant to Section 1.45(a) of the Commission's Rules, hereby files this Motion for Leave to Submit Opposition (copy attached) in connection with the Motion to Strike the Comments of Media General by Sarkes Tarzian, Inc. ("Sarkes"), licensee of WRCB-TV, Chattanooga, Tennessee.

Media General requests that the Commission accept the opposition. Although Media General does not believe the instant motion is necessary, because the opposition necessarily comments on substantive issues that, but for the Motion to Strike by Sarkes, otherwise could not be filed at this time, we submit it in an abundance of caution.

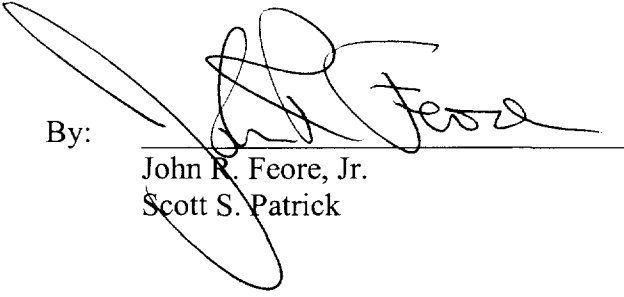
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WHEREFORE, Media General respectfully requests leave to file the opposition.

Respectfully submitted,

MEDIA GENERAL BROADCASTING, INC.

By:



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Scott S. Patrick

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Its Attorneys

November 8, 1999

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To: Chief, Video Services Division

MEDIA GENERAL BROADCASTING, INC. OPPOSITION TO MOTION TO STRIKE

Media General Broadcasting, Inc. ("Media General"), licensee of television station WDEF(TV), NTSC Channel 12, Chattanooga, Tennessee, by its attorneys, hereby submits this, its opposition to Sarkes Tarzian, Inc.'s Motion to Strike the Comments of Media General (the "Motion").¹ As shown below, there is no basis for the Motion, as would have been evident to Sarkes if it had reviewed Media General's comments in this proceeding with any care. Indeed, the Motion is an obvious effort to create a spurious issue in an effort to save Sarkes' uncompelled and potentially hazardous allotment request. Consequently, the Motion must be denied.

In its Reply Comments, Media General urged the Commission to dismiss Sarkes' Petition for Rule Making ("Petition") for the substitution of DTV Channel 13 in lieu of DTV Channel 55 for its licensed station WRCB-TV's paired DTV allotment. Media General said that Sarkes cited

¹ Sarkes Tarzian, Inc. ("Sarkes") did not serve Media General with a true and correct of its Motion until October 27, 1999. Accordingly, pursuant to 47 C.F.R. § 1.45(a), this opposition is timely filed.

no special circumstances to justify violating antenna pattern protection and creating adjacent channel interference, especially since the absence of other allotment choices had not been demonstrated. Media General asked, alternatively, that Sarkes be instructed to submit a new proposal that complies with the Commission's rules. In the Motion, Sarkes characterizes Media General's Reply Comments as an "abuse of process" because Sarkes was denied an opportunity to respond and asserted that Media General made a prohibited "counterproposal."

The most obvious problem with these contentions is that they cannot be supported by a plain reading of Media General's Reply Comments. Media General made no attempt to preclude a response by Sarkes. As made clear by the Motion itself, Sarkes submits at least eleven pages of material responding to certain aspects of Media General's Reply Comments, and Media General herein does not oppose the material's recordation. Furthermore, because Sarkes' proposed amendment cannot be granted, Media General explicitly requested that Sarkes be allowed to respond by "provid[ing] the technical details of a [compliant] proposal."² Media General has no interest in thwarting comments or proposals that conform to the Commission's rules.

Sarkes' assertion that Media General's comments were a prohibited counterproposal likewise cannot be supported. In its Reply Comments, Media General opposed the unnecessary allotment of a DTV channel adjacent to WDEF(TV)'s analog channel. Media General cited the Commission's own concern about the uncompelled use of adjacent DTV channels where channel scarcity did not exist. The Commission recognized that if adjacent DTV channels must be used, it was best if analog and digital facilities were co-located. Accordingly, if no other allotments

² Media General Reply comments at 4.

are available, the most reasonable allocation of Channel 13 is to co-locate such facilities with Channel 12. Sarkes, however, did not propose to co-locate WRCB-DT's facilities with WDEF(TV). Media General, well aware of the prohibition against counterproposals, made it plain that it wished "to defer requesting" such a co-location for itself, citing the reduction in service area required for compliance.³ Accordingly, the only allotment proposal presently before the Commission is the substitution of Channel 13 for WRCB-DT. Media General's candid statements regarding the allocation solely are derived from the concerns it shares with the Commission regarding the uncompelled use of a non-co-located, adjacent-channel DTV allotment.

Sarkes' attempt to transform Media General's reasonable fear of needless interference into a prohibited counterproposal is nothing more than a smokescreen intended to obscure Media General's clearly stated concern about unnecessary adjacent channel digital transmissions emanating from a non-co-located site. Sarkes apparently is compelled to do so given the inadequacy of its attempt to refute Media General's substantive comments. Sarkes calls Media General's – and, presumably, the Commission's – adjacent channel interference concerns "speculative" and states without support that Media General's interference calculations "are presumably flawed."⁴ As demonstrated in the attached Engineering Statement, it is Sarkes' own Motion that is speculative as it has failed to account for adjacent channel interference issues and has failed to identify the unavailability of other allotments that would not produce adjacent channel interference.

³ *Id.*

⁴ Motion at 6.

Finally, the Commission should deny Sarkes' Motion for the general reason that it has conferred great weight on objections to alternative DTV allotment schemes and proposals. The implementation of digital television is uncharted territory, and the Commission has acted with commensurate caution in modifying its computer-generated DTV Table of Allotments.

Accordingly, the Commission has stated that, in the event affected stations objected, it would deny a request for modification of an initial allotment if the proposal would create objectionable interference.⁵ Consistent with this policy, the Commission nonetheless established a framework to permit broadcasters to modify their DTV allotments through consensus⁶ – a path Sarkes has not taken. Pursuant to this regulatory structure and these broadcaster options, the Commission properly has given considerable weight to an objecting station affected by a proposed DTV modification. Grant of Sarkes' Motion would be inconsistent with these policies.

The Commission must deny Sarkes' Motion. Sarkes' attempt to divert the Commission's attention from the inadequacies of its proposed amendment amounts to extreme hyperbole and should not be rewarded. A careful implementation of digital television leaves no room for unnecessary and threatening allotment modifications.

⁵ Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order*, 13 FCC Rcd 7418, ¶187 (1998).

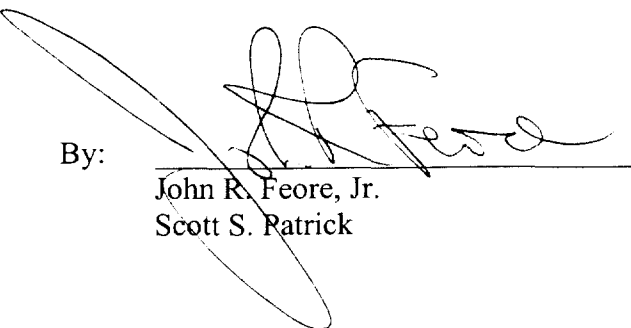
⁶ 47 C.F.R. §73.623(f).

For all these reasons, Media General respectfully requests that the Commission deny Sarkes' Motion to Strike the Comments of Media General.

Respectfully submitted,

MEDIA GENERAL BROADCASTING, INC.

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Its Attorneys

November 8, 1999

ATTACHMENT A

ENGINEERING STATEMENT

ENGINEERING STATEMENT
SUPPORTING THE COMMENTS OF
MEDIA GENERAL BROADCASTING, INC.
IN MM DOCKET 99-268 (RM-9691)

November 5, 1999

Media General Broadcasting, Inc.
Chattanooga, Tennessee

Engineering Statement
Supporting the Comments of
Media General Broadcasting, Inc.

This Engineering Statement is prepared on behalf of the Media General Broadcasting, Inc. licensee of television station WDEF-TV channel 12, Chattanooga, Tennessee in support of its opposition to a motion filed by Sarkes Tarzian (Sarkes), licensee of television station WRCB-TV at Chattanooga. Sarkes filed a Petition for Rulemaking (RM-9691) which resulted in MM Docket 99-268. In this proceeding, the Commission proposes to substitute television channel 13 for channel 55 for DTV operation of WRCB-TV at Chattanooga. Channel 55 was allotted to replicate analog coverage of WRCB-TV. In addition to the channel change, Sarkes proposes in its petition to change maximum effective radiated power (ERP) and directional antenna pattern. Media General filed reply comments in response to the Sarkes comments in the proceeding and subsequently Sarkes filed its motion.

There is potential for interference from the proposed Sarkes operation on channel 13 to the existing WDEF analog service on channel 12. Media General pointed out that that visible interference is predicted to occur to nearly 12,000 persons within the WDEF-TV coverage area. There is nothing in the Sarkes engineering statement that disputes this calculation other than

ENGINEERING REPORT

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Media General Broadcasting, Inc.
Chattanooga, Tennessee

general statements that Media General's claim is only "speculative." The Media General calculation is based upon test data contained in the DTV test results report¹ and is not merely speculative. The criterion of just perceptible interference has been used in the past for television, particularly when desired and undesired stations are close together. For example, prediction of interference from non-commercial educational FM stations to channel 6 TV stations is based upon this criterion. Interference to WDEF-TV is expected because the proposed DTV operation on channel 13 is not co-located with the WDEF-TV operation on channel 12. The proposed WRCB-DT is approximately 3.1 kilometers generally north of the WDEF-TV site. In the case of educational FM stations and channel 6 stations an FM station must be within 0.4 kilometer to be co-located. The general five kilometer rule for a "checklist" DTV application, as espoused by Sarkes, is clearly inappropriate for adjacent channel stations. Generally, the paths of the desired and interfering signals to a given receiving location are not identical. The terrain in the Chattanooga area is rough and field strengths of the desired and interfering signals vary and are not perfectly correlated because of the lack of co-location. In such a situation, some actual interference would be expected. In addition to variations in field strength caused by terrain, reflections cause variations over small areas. Such variability tends to actually increase interference, but is not considered in interference calculations. Thus, actual interference may be more extensive than predicted.

¹ Record of Test Results - Digital HDTV Grand Alliance System, ppII-10, II-12 & II-33 for picture quality standards and PP I3 - I9 for test results.

Media General Broadcasting, Inc.
Chattanooga, Tennessee

The Media General calculations were made using the Institute for Telecommunications (ITS) software. Sarkes used the FCC software. Sarkes' version of the FCC software may not be identical to the FCC software and is not inherently superior to the ITS software in its ability to predict actual interference. To run the FCC software, it must be downloaded and adapted to run on particular computers. Such a version of the FCC software may not actually produce identical results as the Commission's own version.

Sarkes proposes to operate WRCB-DT with a directional antenna with greater suppression than permitted by section 47 CFR 73.685(e). The intent of the antenna rules is to minimize distortion in null directions caused by use of a directional antenna. The response of the antenna, in amplitude and phase, is generally not uniform with frequency across a 6 MHz TV channel. In addition, reflections from terrain or structures illuminated by main lobe power can affect reception in null directions. Such reflections are of particular concern in rough terrain such as the terrain in Chattanooga. The effect of antenna suppression on reception is of concern both with NTSC and DTV reception. There is little or no experience with consumer DTV receivers in such an environment, especially where the receiver must cope with relatively strong reflections with large time delays caused by terrain.

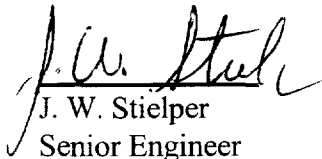
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Chattanooga, Tennessee

In summary, the proposed WRCB-DT operation at Chattanooga on channel 13 is expected to cause perceptible adjacent channel interference to the analog operation of WDEF-TV on channel 12. Interference is expected because the stations are not co-located. As pointed out in the Media General reply comments, Sarkes would not likely mitigate the interference, by a power reduction for example, because Sarkes I would not be the licensee of the adjacent channel station receiving the interference.


J. W. Stielper
Senior Engineer
November 5, 1999

CERTIFICATE OF SERVICE

I, Connie Wright-Zink, hereby certify that a copy of the foregoing Reply Comments has been served by first-class mail, postage prepaid, this 8th day of November, 1999 on the following:

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Connie Wright-Zink